

Notice of Proposed Change	Metropolitan Government of Nashville and Davidson County METRO WATER SERVICES
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Per the Change Management Plan process agreed upon by the Director's of Codes, Fire, Planning, Public Works and Water Services on September 10, 2008, this Notice of Proposed Change **CM-MWS01** is submitted to each of the above departments. The "Notice" will also be submitted to the Deputy Mayor, Director of Finance and the Director of the Mayor's Office of Economic Development.

Date: April 12, 2012	Division: Administration	CM-MWS01
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Proposed Change:

Metro Water Services is introducing an ordinance that amends Section 15.44.050 of the Metropolitan Code of Laws by adding a subsection authorizing the temporary reduction of sewer charges for customers who install green roofs on buildings within the combined sewer area. A copy of the proposed Ordinance is included as a part of this "Notice."

Description of Change:

The Sewer Charge Ordinance provides an incentive to help off-set the cost of building green roofs within the combined sewer area. Properties installing a green roof shall be entitled to a credit against the monthly sewer charges under the terms and conditions as specified in the ordinance.

Summary of Known Effects of the Proposed Change

The construction of green roofs within the combined sewer area of the Metropolitan Government will reduce and slow the volume of Stormwater runoff.

- Green roofs can significantly reduce storm water runoff. The reductions will lead to savings in operational costs associated with storing, pumping, and treating combined sewage.
- Green roofs can slow runoff from rooftops during periods of peak flow. This delay helps to prevent flooding of storm sewers and overflows in combined sewer systems.

Green roofs can offer other benefits to the urban environment, as well.

- Reduce heating and cooling costs
- Reduce the heat island effect and improve air quality
- Provide fire retardation
- Extend roof life
- Reduce noise
- Add habitat for plants and animals
- Add beauty and space

Effective Date of Change:

The proposed ordinance would take effect after its final passage by the Council of the Metropolitan Government of Nashville and Davidson County and signature of the Mayor.

Proposed Transition Plan:

The proposed ordinance will follow the procedural process as required by Metro Council.

Notification:

This "Notice" will comply with the requirements of the Change Management Plan. **Notice of Proposed Change (CM-MWS01)** will be posted on the MWS and Development Services websites. It will be communicated to organizations as deemed appropriate and to the email distribution lists maintained by Codes, Planning and Water Services. The "Notice" shall be distributed to the appropriate Committee Chair of the Metro Council.

Comments:

Please send written comments to:

Sue Amos, Metro Water Services, 1600 Second Avenue North, Nashville, TN 37208
sue.amos@nashville.gov

Ordinance No. _____

An ordinance amending Section 15.44.050 of the Metropolitan Code of Laws by adding a subsection authorizing the temporary reduction of sewer charges for customers who install green roofs on buildings within the combined sewer area.

WHEREAS, Metropolitan Code of Laws § 15.40.010, et seq., (“Sewer Charge Ordinance”) establish the charges applicable to use of the public sewerage system (“System”); and

WHEREAS, the Sewer Charge Ordinance authorizes reductions in charges for properties taking certain specified actions that reduce the volume of water discharged to the System; and

WHEREAS, the construction of green roofs, as herein defined, within the combined sewer area of the Metropolitan Government will likewise reduce the volume of water discharged to and the functioning of the System.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: Metropolitan Code of Laws § 15.44.050 is hereby amended by adding a new subsection E reading as follows:

- (a) For purposes of this section, “green roof” shall mean a building roof covering placed over a minimum of 50% of the building’s rooftop space and having at least the following components, compliant with applicable building codes and the Metropolitan Stormwater Management Manual:
 - 1. A waterproof membrane layer;
 - 2. A drainage layer designed such that roof drains can be inspected and cleaned;
 - 3. A growth medium at least four inches in depth;
 - 4. A vegetation layer, at least 80% of which must consist of live, hardy, drought-resistant plants.
- (b) Properties located entirely within the combined sewer area of the Metropolitan Government on which a properly functioning green roof is installed after the effective date of this subsection shall be entitled to a credit against the monthly sewer charges otherwise owing under this Chapter. The amount of the credit shall be the product of \$10 and the number of square foot of area covered by live vegetation comprising the green roof, subject to the limitation set forth in subsection (d). A portion of the credit equal to the sewer charge otherwise owed for the property on which the green roof is located shall be applied each month until the full credit has been applied or 60 months shall have elapsed, whichever first occurs. The director may revoke the eligibility of a property to receive a credit if the green roof for which the credit has been recognized fails to remain in compliance with this subsection. No property shall be eligible for the credit contemplated by this subsection until the director or his designee has confirmed that the green roof for which the credit is sought has been constructed in accordance with this subsection. The property owner of a green roof receiving credit

under this subsection shall annually submit documentation that the green roof remains eligible for such credit. The director or his designee shall be given reasonable access to a green roof on any property receiving or seeking a credit under this subsection for the purpose of verifying eligibility for the credit.

- (c) No green roof shall be entitled to a credit under this section unless plans for the green roof shall have been prepared and stamped by a licensed professional and submitted to and approved prior to construction by the director or his designee. Structural considerations shall remain the responsibility of the applicant. During the initial planning phases, a project may apply to MWS for a preliminary approval that will include an assessment of the project's eligibility and an analysis of available funding. This preliminary approval will expire in six months if the aforementioned stamped plans are not submitted for approval.
- (d) The total of all credits made available to all properties under this subsection shall not exceed \$500,000 annually. Properties seeking eligibility for the full credit shall be given priority based on the order in which they apply, and a partial credit may be given to a property if the annual limitation has not been reached but giving the full credit to that property would cause it to be exceeded. A property given a partial credit shall have priority for the full credit for the remaining portion of that property's 60-month term of eligibility if one or more properties previously receiving the full credit become ineligible for the credit for any reason.

Section 2: This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

Scott Potter, Director
Department of Water Services

INTRODUCED BY:

Council Member(s)

APPROVED AS TO AVAILABILITY
OF FUNDS:

Richard M. Riebeling
Director of Finance

APPROVED AS TO FORM AND
LEGALITY:

Assistant Metropolitan Attorney